

**EXHIBIT 18**  
**REQUEST FOR CONTINUING SATELLITE WAIVER**

This application seeks the Commission's consent to the assignment of commercial television stations WGTQ(TV), Sault Ste. Marie, Michigan (Facility ID No. 59279) and WGTU(TV), Traverse City, Michigan (Facility ID No. 59280) from Tucker Broadcasting of Traverse City, Inc. ("Tucker") to Traverse City (WGTU-TV) Licensee, Inc. ("TCLI"). Both WGTQ(TV) and WGTU(TV) are located in the Traverse City – Cadillac Designated Market Area ("DMA"). Pursuant to a waiver of the Commission's multiple ownership rules, 47 C.F.R. § 73.3555, WGTQ(TV) has operated as a satellite of WGTU(TV) since 1980. The most recent continuation of the longstanding satellite waiver was authorized in January 2008.<sup>1</sup> The circumstances upon which the Commission granted the current satellite waiver to Tucker remain mostly unchanged today. Accordingly, a continuation of that waiver is respectfully requested to permit the stations to maintain their service to the public.

In *Television Satellite Stations Review of Policy and Rules*,<sup>2</sup> the Commission set out three criteria under which the Commission will presume that the common ownership of a main and satellite station is in the public interest. Those criteria are that: (1) there is no City Grade overlap between the parent and satellite stations;<sup>3</sup> (2) the proposed satellite

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<sup>1</sup> See FCC File No. BALCT-20070917ADG ("2008 Application").

<sup>2</sup> See 6 FCC Rcd 4212 (1991).

<sup>3</sup> See *Standard General Fund*, 27 FCC Rcd 14067 (2012), citing *New Young Broadcasting Holding Company, Inc.*, [25 FCC Rcd 7518](#) (MB 2010) (following the digital transition there is no "equivalent standard" for the analog City Grade contour. Notably, the Commission has established an equivalent to the Grade B contour. See *Innovation in the Broadcast Television Bands: Allocations, Channel Sharing and Improvements to*

will provide service to an underserved area; and (3) no alternative operator is ready and able to construct or purchase and operate the satellite as a full-service station. The Commission evaluates proposed operations that do not meet the presumptive criteria on an *ad hoc* basis, based on the totality of circumstances, to determine whether the proposed combination would serve the public interest.

With respect to the first criterion, and as shown by the attached Technical Statement of W. Jeffrey Reynolds of du Treil, Lundin & Rackley, Inc., there is a no City Grade overlap and a *de minimis* amount of overlap between the NLSC contours of WGTU(TV) and WGTQ(TV). See Attachment 1 - Figure 1.

With regard to the second criterion, and pursuant to the Commission's "transmission" test<sup>4</sup>, which qualifies an area as underserved if there are two or fewer full-service television stations, the technical statement provides that there are only two television stations licensed to Sault Ste. Marie, WGTQ(TV) and WWUP-TV, both operating as satellites. WGTQ also provides service to underserved areas under the Commission's "reception" test. The attached technical statement defines, and Figure 3 highlights, the areas in which WGTQ(TV) provides the second television reception service to a broad area in northern Michigan, thus providing service in a gray area, or an area receiving only one other television service. In addition, the technical statement shows that WGTQ(TV) provides reception service to a significant area which receives

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VHF, 27 FCC Rcd 4616, 4632, footnote 105 (stating that the "Commission uses the noise limited service contour ("NLSC"), set forth in 47 C.F.R. § 73.622e, in place of the analog Grade B contour....").

<sup>4</sup> *Television Satellite Stations*, 6 FCC Rcd 4212, 4215 (1991).

only four other reception services. Thus, WGTQ(TV) qualifies as providing service to underserved areas.

Finally, with regard to the third criterion, the attached Declaration, of Larry Patrick, a broker with Patrick Communications, demonstrates that there are no alternative operators ready and able to construct, or to purchase and operate, the proposed satellite as a stand-alone, full-service station.<sup>5</sup> In *GRK Productions Joint Venture*, 13 FCC Rcd 12168 (1998), the Commission recognized the financial difficulties, such as insufficient revenues, facing television station operators in this region of the country, and approved operation of a competing station in the DMA as a satellite. Indeed, each of the other commercial television operations in the Traverse City-Cadillac DMA operates with a principal station coupled with a satellite.<sup>6</sup>

In conclusion, WGTQ(TV) qualifies for a continued satellite waiver under the Commission's presumptive waiver analysis.

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<sup>5</sup> *Id.*

<sup>6</sup> WWUP-TV, Sioux Ste. Marie, is operated as a satellite of WWTV(TV), Cadillac; WFUP-TV, Vanderbilt, is operated as a satellite of WQFX(TV), Cadillac; and WTOM-TV, Cheboygan, is operated as a satellite of WPBN-TV, Traverse City.

## **ATTACHMENT 1**

TECHNICAL STATEMENT  
PREPARED ON BEHALF OF  
TRAVERSE CITY (WGTU-TV) LICENSEE, INC.  
IN SUPPORT OF AN APPLICATION FOR ASSIGNMENT OF TV LICENSES  
TRAVERSE CITY AND SAULT STE. MARIE, MICHIGAN

This technical statement and associated exhibits have been prepared on behalf of Traverse City(WGTU-TV)Licensee, Inc. in support of an application for assignment of the licenses of UHF station WGTU, Traverse City, Michigan and VHF station WGTQ, Sault Ste. Marie, Michigan, pursuant to the Note 5 "satellite exemption" to Section 73.3555 (Multiple Ownership) of the Commission's Rules. Specifically, the purpose of this technical statement is to demonstrate that (1) there was no City Grade overlap between the stations prior to the digital transition, (2) there is currently no city grade overlap between the stations and (3) satellite station WGTQ provides service to underserved area, including gray area.

Prior to the digital transition, WGTU was licensed (BLCT-20041012AIJ) to operate on analog UHF channel 29 with a directional antenna effective radiated power (ERP) of 1303 kilowatts (kW) and an antenna height above average terrain (HAAT) of 393 meters. Station WGTU currently is licensed (BLCDT-20090622AFH) to operate on DTV UHF channel 29 with a directional antenna ERP of 68.4 kW and an HAAT of 393 meters.

Prior to the digital transition, WGTQ was licensed (BLCT-20030630AAB) to operate on analog VHF channel 8 with a directional antenna ERP of 316 kW and an HAAT of 288 meters. Station WGTQ currently is licensed (BLCDT-20090622AFG) to operate on DTV channel 8 with a directional antenna ERP of 15 kW and an HAAT of 288 meters.

Figure 1 is a map which depicts the Grade B and City Grade contours for the former analog operations of WGTU and WGTQ. As indicated, there was no City Grade overlap between the stations prior to the digital transition.

Figure 2 is a map which depicts the noise limited service contours (NLSC)<sup>1</sup> and City Grade contours for the current DTV operations of WGTU and WGTQ. As indicated, there is no City Grade overlap between the stations.

Figure 3 is a "reception test" analysis for satellite station WGTQ. Specifically, Figure 3 depicts the NLSC contour for WGTQ's current DTV operation. Also shown are the NLSC contours for all DTV stations which provide some NLSC service within WGTQ's NLSC. As indicated, there are underserved areas within the WGTQ NLSC, including "gray" areas.<sup>2</sup> The WGTQ NLSC encompasses a land area of 13,980 square kilometers. The underserved area within the WGTQ NLSC encompasses a land area of 11,916 square kilometers and the gray area within the underserved area encompasses a land area of 8,353 square kilometers. Therefore, 85.2% of the WGTQ NLSC is considered to be underserved and 61.1% of the WGTQ NLSC is gray area.

Figure 5 provides a tabulation of the stations which provide NLSC service to the WGTQ NLSC service areas.

All contour locations were based on the FCC prediction methods applicable to analog and DTV stations contained in the Commission's rules. Contour locations were determined along 72 equally spaced radials using the NGDC 3-second terrain database.

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<sup>1</sup> The equivalent of the analog Grade B service contour is the DTV noise limited service contour. See Report to Congress: *The Satellite Home View Extension And Reauthorization Act of 2004; Study of Digital Television Field Strength Standards and Testing Procedures*, ET Docket No. 05-182, 20 FCC Rcd 19504, 19507, ¶3.

<sup>2</sup> An underserved area is defined as an area receiving four or fewer TV services, and a "gray" area is an area receiving one TV service, not counting the proposed satellite station.

***du Treil, Lundin & Rackley, Inc.***

Consulting Engineers

Traverse City and Sault Ste. Marie, Michigan

I hereby declare under penalty of perjury that the  
forgoing is true and correct to the best of my personal  
knowledge and belief.

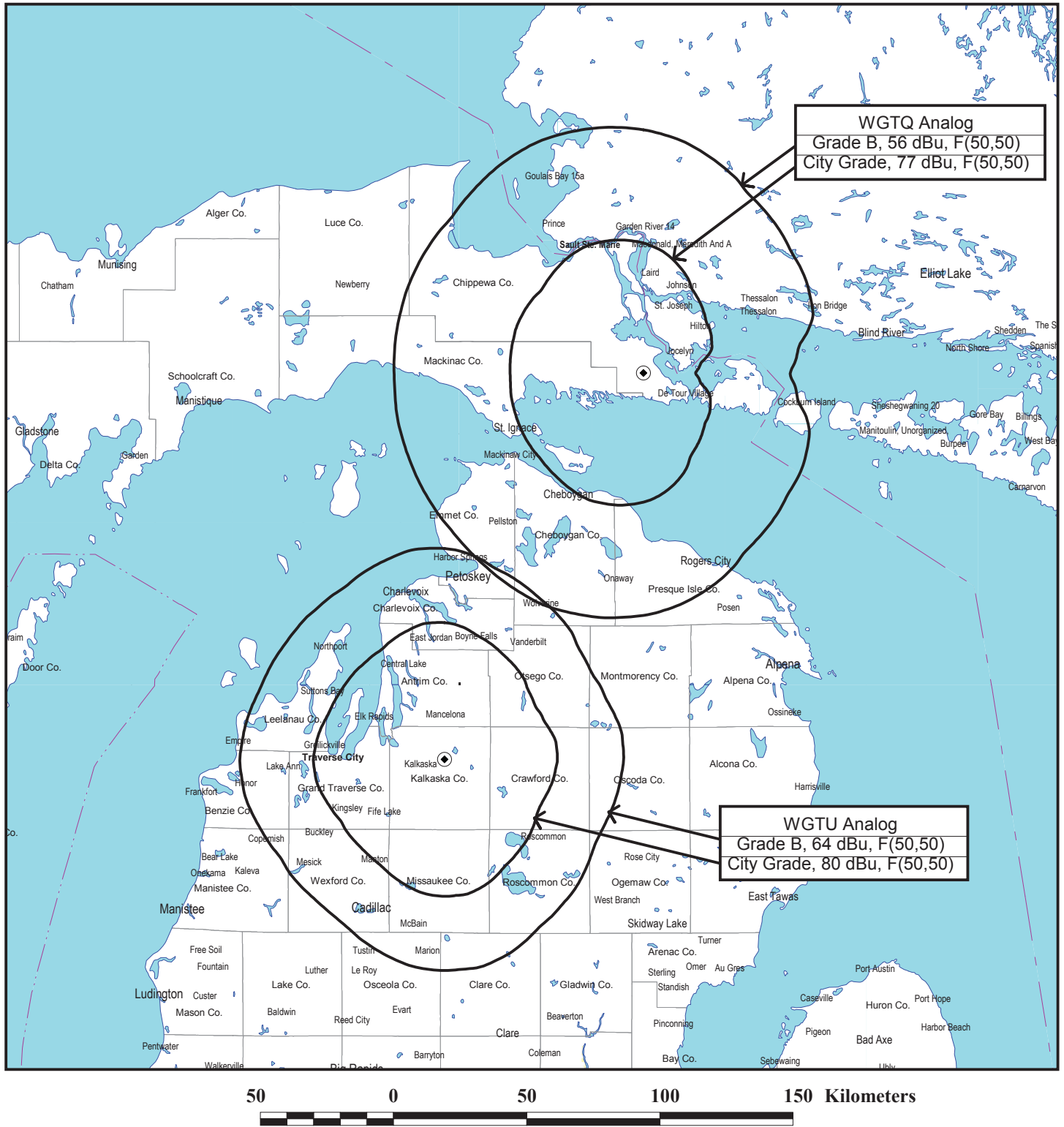


W. Jeffrey Reynolds

du Treil, Lundin & Rackley, Inc.  
201 Fletcher Avenue  
Sarasota, Florida 342387  
(941) 329-6000  
JEFF@DLR.COM

May 3, 2013

Figure 1



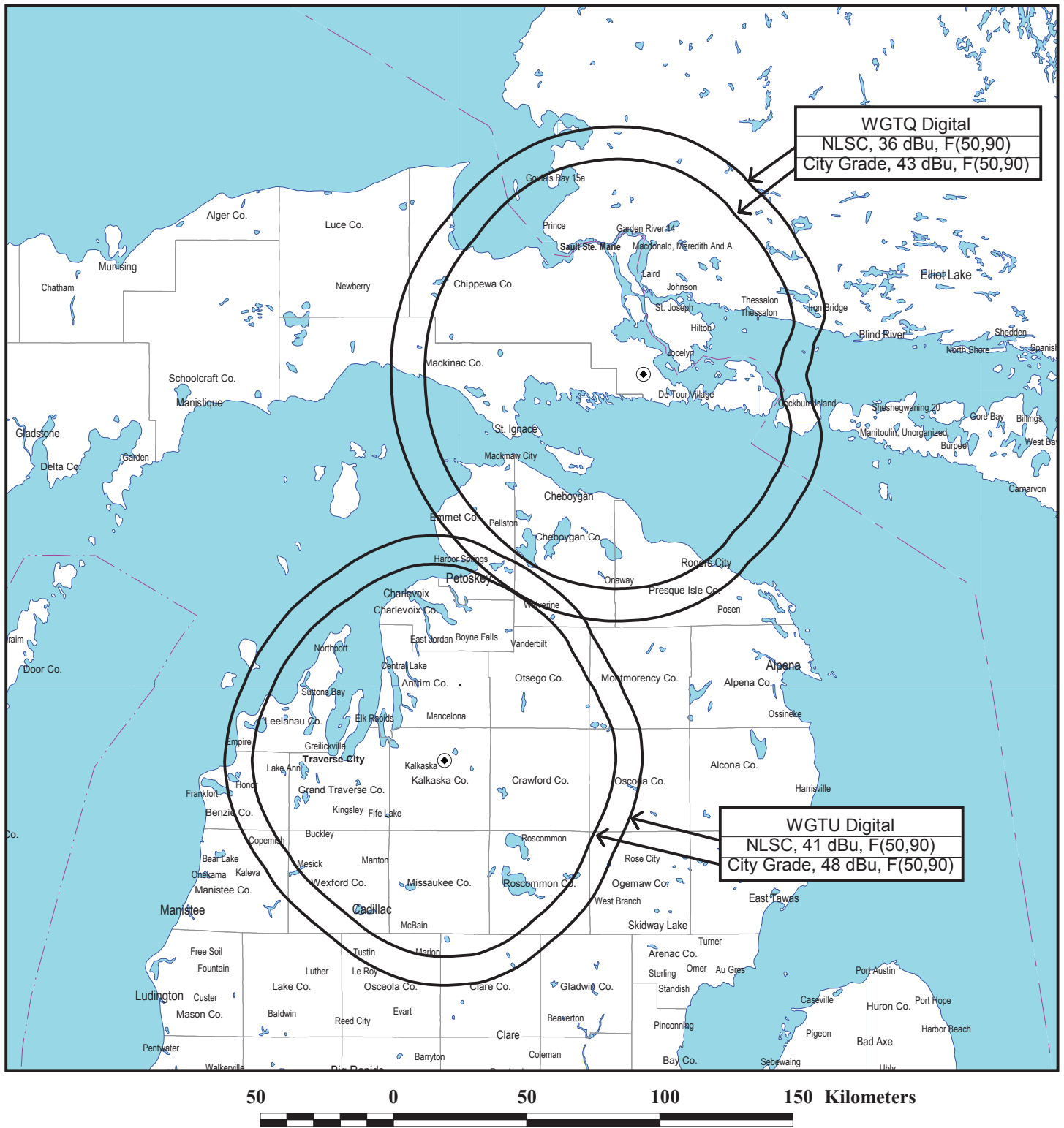
## FCC PREDICTED ANALOG COVERAGE CONTOURS

### STATIONS WGTU AND WGTQ

du Treil, Lundin & Rackley, Inc. Sarasota, Florida



Figure 2



## FCC PREDICTED DIGITAL COVERAGE CONTOURS

### STATIONS WGTU AND WGTQ

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

Figure 3



## WGTQ RECEPTION TEST ANALYSIS

## STATIONS WGTU AND WGTQ

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

TECHNICAL STATEMENT  
 PREPARED ON BEHALF OF  
 TRAVERSE CITY (WGTU-TV) LICENSEE, INC.  
 IN SUPPORT OF AN APPLICATION FOR ASSIGNMENT OF TV LICENSES  
 TRAVERSE CITY AND SAULT STE. MARIE, MICHIGAN

Tabulation of Other Stations Providing  
NLSC Service to the WGTQ NLCS Service Area

<u>Call Sign</u>	<u>Community of License</u>	<u>State</u>	<u>Channel</u>
WCML	ALPENA	MI	24
WCMV	CADILLAC	MI	17
WPBN-TV	TRAVERSE CITY	MI	47
WBKB-TV	ALPENA	MI	11
WTOM-TV	CHEBOYGAN	MI	35
WFUP	VANDERBILT	MI	45
WWUP-TV	SAULT STE. MARIE	MI	10

## **ATTACHMENT 2**



6805 DOUGLAS LEGUM DRIVE

SUITE 100

ELKRIDGE, MD 21075

(410) 799-1740

(410) 799-1705 FAX

[www.patcomm.com](http://www.patcomm.com)

May 13, 2013

Mr. William Lake  
Chief-Media Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street S.W.  
Room 3-C740  
Washington, D.C. 20554

Re: WGTU-TV, Traverse City, MI  
WGTQ-TV, Sault Sainte Marie, MI

Dear Mr. Lake:

I have been asked to opine on the continued operation of WGTQ-TV as a satellite of WGTU-TV with regard to the transfer application of the above television properties. WGTU is the ABC affiliate in the Traverse City-Cadillac, MI DMA. WGTQ has operated as a long time satellite of WGTU. This letter addresses the feasibility of operating and marketing WGTQ as a full- service standalone operation versus its continued operation as a satellite of WGTU.

I am Managing Partner of Patrick Communications, the leading media brokerage firm in the industry with over \$7.5 billion in transactions. I have been involved in the broadcast industry for over forty years and my firm has sold 170 television stations in the past ten years, more than any other brokerage firm. In addition to Patrick Communications, I served from 2005 to 2008 as Chairman of the Board of ION Media Networks, the licensee of 60 television stations. I am also a past president of the National Association of Media Brokers and am the current Chairman of the National Association of Broadcaster's PAC. I also own a minority interest in television stations in New York, Los Angeles, Chicago Boston, Philadelphia and San Francisco. In addition, I speak regularly to industry groups and have a long history of experience in both television operations and transactions.

I have previously brokered sales of television stations in the Traverse City-Cadillac, MI DMA and I have also provided numerous opinions to the FCC on satellite waivers. I am very familiar with the Traverse City market and the various television station signals, competition and market conditions there,



as well as the current television economic environment and station transactional market. I believe that I am qualified to opine on the viability and marketability of WGTQ as a standalone television station.

There are four independent owners of full power commercial television stations in the market. Four television networks are represented including ABC, NBC, CBS, and FOX. The stations affiliated with all four networks each have a full power satellite to cover the DMA.

Ranked as the 119<sup>th</sup> largest DMA in the U.S., the Traverse City market covers an extremely large geographic area stretching over 200 miles across the Upper Peninsula of Michigan. Its geographic size essentially mandates the use of a satellite to properly serve the viewing public. The population growth for the market was a negative 0.1 percent for the past five years, and population growth of less than 1.0 percent is projected through 2017. In addition, according to BIA Kelsey, the market is ranked only 133<sup>rd</sup> in terms of television advertising revenue, a level well below its population rank of 19<sup>th</sup>. This indicates a television economy where there is less advertising revenue available for the pool of stations than most markets of comparable population. Total DMA television advertising dollars declined 0.4 percent from 2007 to 2012. BIA Kelsey projects growth over the next five years of only 1.5 percent.

The competition among the major network affiliated stations in this DMA is very strong. The CBS affiliate and its satellite dominate the market with 42.4% of market revenues. The NBC and its satellite follow with 28.8% of revenue. WGTU and its satellite WGTQ, the subjects of this letter, are essentially tied for third in the market with the FOX affiliate with both parties having an estimated revenue share of 14.0%.

Given this level of competition and the dominance of the CBS and NBS affiliates, WGTU needs its satellite station, WGTQ, the subject of this letter, to effectively compete with the other owners in the market. The level of service provided to the various communities that make up this geographically challenging market would be diminished significantly if WGTU was forced to operate without WGTQ. Coverage maps for WGTU and WGTQ are attached to this letter.

Finally, WGTQ would be unable to operate as a viable standalone full power station. On its own, the station does not provide a signal remotely capable of covering the market or Traverse City or Cadillac, the two largest cities in the DMA. WGTQ's coverage would be limited to an area to the far north in Sault Sainte Marie. Given that all of the major network affiliations are already present in the DMA, there would be no primary network television programming available to WGTQ, and the station would not have access to programming sufficient to viably compete for audience and revenue. More importantly, not only would the station have to function with a limited signal without primary network programming, viewers in the coverage area would be denied ABC network programming via over-the-air service, as well as all the local news, weather and public service programming that WGTU provides via its satellite WGTQ to these viewers. It is precisely this type of DMA that illustrates the importance of satellites in reaching a geographically large market.



As a broker, I believe that the marketing of WGTQ as a standalone station would be unsuccessful given the marginalized nature of the operation, and knowing that a buyer would be hard pressed to find compelling programming sufficient to survive. It is highly unlikely that a knowledgeable and experienced television operator could be found that could provide a viable full service operation to outlying communities with WGTQ as a standalone station.

Sincerely,

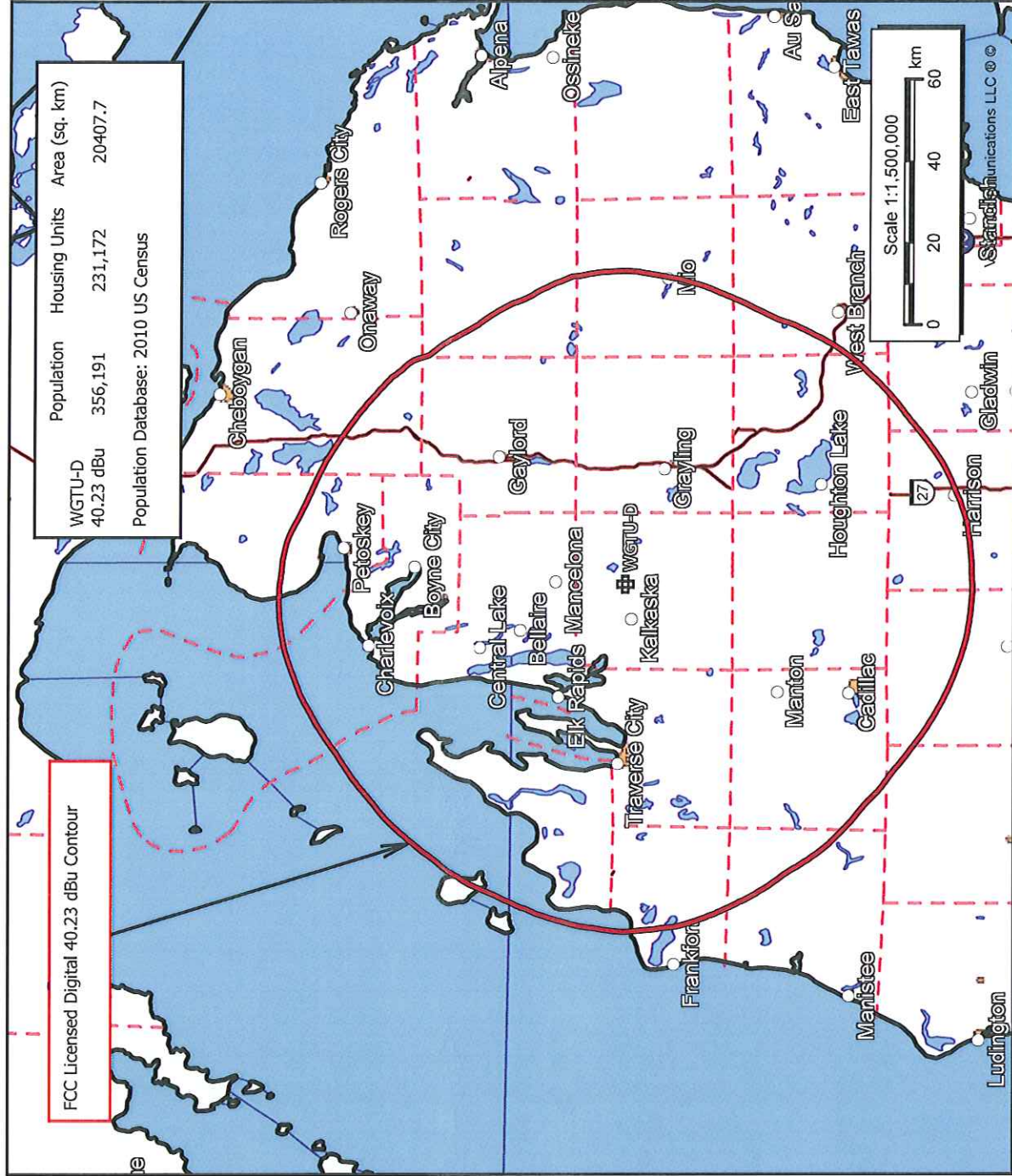
*W. Lawrence Patrick*

W. Lawrence Patrick  
Managing Partner



**WGTV-D**

BLCDT20090622AFH  
Latitude: 44-44-53 N  
Longitude: 085-04-08 W  
ERP: 68.40 kW  
Channel: 29  
Frequency: 563.0 MHz  
AMSL Height: 744.6 m  
Elevation: 374.0 m  
Horiz. Pattern: Directional  
Vert. Pattern: Yes  
Elec Tilt: 0.75  
Prop Model: Longley/Rice  
Climate: Cont temperate  
Conductivity: 0.0050  
Dielec Const: 15.0  
Refractivity: 311.0  
Receiver Ht AG: 10.0 m  
Receiver Gain: 0 dB  
Time Variability: 90.0%  
Sit. Variability: 50.0%  
ITM Mode: Broadcast





**WGTO-D**

BLCDT20090622AFG  
Latitude: 46-03-08 N  
Longitude: 084-06-38 W  
ERP: 15.00 kW  
Channel: 8  
Frequency: 183.0 MHz  
AMSL Height: 483.0 m  
Elevation: 233.1 m  
Horiz. Pattern: Directional  
Vert. Pattern: Yes  
Elec Tilt: 0.5  
Prop Model: Longley/Rice  
Climate: Cont temperate  
Conductivity: 0.0050  
Dielec Const: 15.0  
Refractivity: 311.0  
Receiver Ht AG: 10.0 m  
Receiver Gain: 0 dB  
Time Variability: 90.0%  
Sit. Variability: 50.0%  
ITM Mode: Broadcast

FCC Licensed Digital 36 dBu Contour

WGTO-D	Population	Housing Units	Area (sq. km)
36.00 dBu	94,871	61,534	23351.8

Population Database: 2010 US Census

